

435288

Lewis J. Tetlow III
16 Steppingstone Road
Bedford, N.H. 03110
January 2, 2007

The Honorable Marion C. Blakey
Administrator
Federal Aviation Administration
800 Independence Ave., S.W.
Washington, D.C. 20591

FAA-2007-26860-1

U.S. Department of Transportation
Docket Management System
400 7th Street, S.W. Room PL 401
Washington, D.C. 20591-0001

Captain Ed Bular
Vice President Flight Operations
USAirways
111 W. Rio Salado Pkwy
Tempe, AZ 85281

SUBJECT: PETITION FOR EXEMPTION FOR
LEWIS J. TETLOW III. ATP 2048001

REF: 14 CFR Part 121, Section 121.383(c), The Constitution of the United States, The Civil Rights Act (Title VII), The ADEA of 1967, Nov. 15, 2006 letter Re. Docket Number FAA-2006-26139 from EEOC Chair, Naomi Earp and the November 2006 AGE 60 Aviation Rule Making Committee (ARC) Report.

Dear Ms. Blakey:

In accordance with the above stated references, I am requesting an exemption from the age 60 restrictions in Section 121.383(c) of the Federal Aviation Regulations. This request is made individually and collectively in regard to all U.S. Part 121 pilots retroactive to November 23, 2006.

The International Civil Aviation Organization (ICAO) has adopted age 65 as the world standard for airline pilots to act as pilot in command. Since November 23, 2006 the United States has effectively granted all foreign pilots an exemption to the "Age 60 Rule". Failure to grant a similar exemption to all U.S. pilots during the process of changing the "Age 60 Rule" is obviously discriminatory.

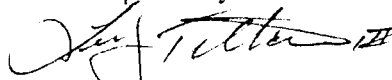
The EEOC has intervened on numerous occasions to express their opinion that the "Age 60 Rule" was in violation of the laws of the United States under the U.S. Code, specifically the Civil Rights Act (Title VII) and the ADEA of 1967. It is therefore also in violation of an Executive Order designating the EEOC as the government body tasked with these determinations. Clearly, age alone is NOT a bona fide occupational qualification. As of November 23, 2006 the FAA by its actions has confirmed that safety is NOT at issue, and the numerous studies throughout this protracted period of age discrimination have repeatedly confirmed that fact. It further confirms that court decisions in this matter, ref. Yetman v. Garvey were made based upon erroneous information. Since that decision, reports from AsMA, The Johns Hopkins study and others have clearly and repeatedly shown that age is not a valid safety related factor.

Labor unions have continued to profess safety as an issue regardless of the scientific facts and study results. They have continually misrepresented the facts for their own financial gain and internal politics. The actions of the past ALPA president are particularly flawed. While testifying to the Congress that age 60 was a bona fide safety issue, then ALPA President Duane Woerth signed two ALPA contracts for Canadian air carriers allowing for age 65. Their "policy" wasn't and isn't safety, it is economic and political. Regardless of the desires of junior ALPA members to retire the senior pilots for their own advancement, no labor organization has the right to formulate, convey or continue a "policy" which is in violation of the U.S. Code.

I am a graduate of the United States Air Force Academy (1969), combat veteran of Vietnam and the Middle East and an airline pilot since 1977. Allowing foreign pilots to SAFELY fly in the skies above the U.S. over the age of 60 while claiming that it would be hazardous for U.S. pilots to do the same defies common sense. It is the U.S. pilot who can lay claim to the best training, guidance and medical scrutiny at the direction of the FAA. As a military veteran, patriotic American tax- payer and professional airline pilot, it is my right to equal protection under the laws of the United States. The "Age 60 Rule" is and always has been arbitrary and capricious. Only the granting of equal rights to U.S. citizens, i.e. repeal of the "Age 60 Rule" retroactive as a minimum to November 23, 2006 will avert another costly round of litigation. As stated by the EEOC and others, the "Age 60 Rule" is INDEFENSIBLE.

I strongly urge you to accept my exemption to the "Age 60 Rule", the exemption of my fellow U.S. pilots and to grant us the rights to which we are entitled.

Respectfully,



Lewis J. Tetlow III
ATP 2048001

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8 March, 2007

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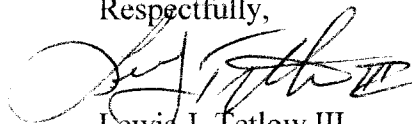
SUBJECT: AMENDMENT TO PETITION FOR EXEMPTION
LEWIS J. TETLOW III, ATP 2048001

To Whom It May Concern:

In accordance with the requirements for petition of exemption waiver request to 14 CFR Part 121, Section 121.383 (C) I submit the following:

1. I request that my request for waiver of Exemption include that the waiver be granted for operations outside the United States as required by the regulation.

Respectfully,



Lewis J. Tetlow III
ATP 2048001